

MINUTES

December 14, 2010

Members present: Howard Baker-Smith, Chairperson
Jacquelyn McDonald, Vice Chairperson
Margaret Latimer
Stuart MacGregor
Chris Markey
John Sousa

Members excused: Mark Lawton
Kevin Shea

Member absent: John Costa

The meeting was called to order at 6:43 p.m.

Motion:

Ms. McDonald made a motion to approve the minutes of the November 3, 2010 meeting. The motion was seconded and approved by a 5-0 vote. Mr. Markey was not present for the vote.

Two invoices were circulated for review. The first invoice was for a reimbursement to Susan Dorschied for a \$5.54 postage expense. The second was from ttl Architects in the amount of \$1,160 for the completion of Task I of Phase III of the Historical Inventory.

Motion:

Ms. McDonald made a motion to approve payment of the invoice from Susan Dorschied in the amount of \$5.54. The motion was seconded and approved by a 5-0 vote. Mr. Markey was not present for the vote.

Motion:

Mr. MacGregor made a motion to approve payment of the invoice from ttl Architects in the amount of \$1,160. The motion was seconded and approved by a 5-0 vote. Mr. Markey was not present for the vote.

Mr. Baker-Smith signed two Municipal Funding Award documents and their respective cover letters. One Award is to Timothy Lancaster for the Community Park Phase II grant. The other Award is to David Cressman for the Russells Mills Library Project grant. Each will be forwarded to the respective Grantees for signatures.

Mr. Markey joined the meeting at 6:51 p.m.

Ms. Latimer gave an update on the Russells Mills Library Project. Historical Commission Chair Judy Lund has contacted Deborah Melino-Wender, Director of Development, concerning requirements the Massachusetts Historical Commission may have regarding the project. Ms. Melino-Wender said that she was informed by Mass. Historical that since no State or Federal funds are involved, it has no jurisdiction. Ms. Latimer and Mr. Baker-Smith both disagree. Mass. Historical has been involved in other CPA funded projects. The matter was discussed. Ms. Latimer will ask Ms. Lund to follow up with Ms. Melino-Wender. A historical preservation restriction will be required.

An update on the Stone Barn Farm Project was discussed. Massachusetts Audubon Society has provided its first Project Status Report. They have retained architectural firms. They will be soliciting bids for the work to be done. The Grantee has come before the Historical Commission informing the Members what their plans are for the work. The Commission said that the Grantee must come before them again before obtaining a building permit. Mr. Markey wants the Historical Commission to be on notice when Mass. Audubon begins the bidding process. Interested contractors need to be informed of what will be required of them. Ms. McDonald asked what the building's future use will be. Mr. Baker-Smith said the first floor will be an open space for community meetings and functions. He said the second floor's usage is unclear at this time. He will notify the Grantee that their plans must be approved by the Historical Commission before they may go out to bid.

Ms. Latimer asked if there was an update on the Akin House Project. Mr. Baker-Smith said no. The matter was discussed. Mr. Baker-Smith will contact Peggy Medeiros, Chair of Dartmouth Heritage Preservation Trust, for the status. Her appearance at a future meeting could be arranged, along with a Town representative, to discuss how the final phase of the Project will proceed.

A discussion took place regarding the Burgo Basketball Project. Representatives of the Burgo Basketball Association were present. Introductions were made. The CPC is in the process of closing out all completed projects. It has retained the services of Attorney Matthew Thomas for the process. The Burgo Project cannot be closed out due to two issues. One is an invoice from PJ Keating for court paving in the amount of \$6,501.80 and the other is the condition of the tennis courts. Donna Burgo spoke about the invoice in question. She said she handles the BBA's finances and has no record of such invoice. She also said that the amount of \$6,501.80 is too low to be the cost of paving a basketball court. That amount had to have been for sidewalks. She said she changed the description on the copy she was given believing the contractor had inadvertently invoiced BBA incorrectly.

Ms. McDonald had recently visited the Burgo complex. She circulated pictures she took of the tennis courts to the Committee Members. She agrees that the cost of paving a basketball court far exceeds \$6,501.80. Mr. Burgo said that many parts of the complex were donated by local companies, including PJ Keating. Mr. Burgo said PJ Keating installed the gravel for the tennis courts. The finished surfaces of those courts are in poor condition such that they cannot be

used. Mr. Burgo said the improper gravel installation is to blame. PJ Keating said they are not responsible, but that Able Asphalt is for improper paving. Able Asphalt has offered to work with PJ Keating to remedy the situation. Mr. Burgo is working with USA Tennis to get the courts finished. He expects the work to be done by late Spring.

Mr. Burgo said that he cannot explain the invoice. There is no record of the expenditure. Mr. Thomas contacted PJ Keating to clarify the invoice. He was told it was for basketball court paving. Since basketball court paving was not an allowable use of funds under the terms of the Town Meeting vote, the expenditure must be paid from other funds. Attorney Thomas was present for the discussion and had said that many projects, including the BBA complex, are funded through multiple sources. It is not uncommon for one source to allow certain expenditures that another will not. Mr. Baker-Smith asked if any of the funding was from private contributions. Mr. Burgo said yes. Private funds went towards site work such as drainage and landscaping, among other things. Those improvements are allowable expenditures under the terms of the CPA grant. If BBA can produce receipts for payments from private funds to vendors for services such as site work, those receipts could be applied to the CPA grant instead up to the amount of the invoice in question. All the documentation would be submitted to the Town Accountant for verification. If this cannot be done, BBA will be responsible for the repayment of \$6,501.80 to the Town of Dartmouth CPA fund.

Mr. Markey said it is important that the program succeeds. The resolution of the invoice from PJ Keating is imperative. Mrs. Burgo was uncertain if she wanted to do an accounting adjustment. Mr. Baker-Smith assured that it would not be improper and that he sees no other way to resolve the problem without BBA returning the funds. Mr. Burgo said that work on the complex has taken many years. He wants to resolve these problems and continue his work. His focus is on having a place for children to go to keep them off the streets. Mr. Sousa is pleased with what Mr. Burgo has accomplished. Mr. MacGregor is also pleased and said he appreciated the Burgos attending the meeting to resolve the issues. Ms. McDonald said that she remembers the struggles Mr. Burgo faced in building the complex. She said that she admires his perseverance and that he has done a good job.

Mr. Baker-Smith asked the Burgos to review their expenses that were paid out of private funds. Invoices with cancelled checks for expenditures that are allowable under the CPA grant should be submitted to the Town Accountant. The Town Accountant will verify the dates, charges and descriptions of the expenditures. Mrs. Burgo said she would get that done in time for the CPC's January meeting.

Mr. Baker-Smith returned to the matter of the tennis courts. Mr. Burgo reiterated that he expects them to be redone by late Spring. Mr. Baker-Smith requested that BBA submit a letter to the CPC of their intentions to finish the tennis courts, how they plan to accomplish the work and when they expect them to be ready for use. Mr. Burgo agreed.

A discussion took place regarding the Gulf Hill Dairy Project sponsored by the YMCA. Finance Director Gregory Barnes was present to discuss project requisitions and the disbursement of funds. The YMCA has submitted two requisitions for the reimbursement of project costs. Mr. Barnes had requested and received specific back-up information from the Grantee. There was a charge on the first requisition for staff time in the amount of \$8,931. Mr. Barnes is uncomfortable with such reimbursements and will not approve them. He has reviewed the YMCA's grant application and sees no reference to staff time as being a project cost. He said it was also not discussed at Town Meeting. Mr. Barnes contacted the Department of Revenue to discuss the matter. He was asked if the cost for staff time was transparent in the Grantee's application. Mr. Barnes feels it was not. The disbursement of funds for staff time is being withheld.

Motion:

Mr. Sousa made a motion to instruct Mr. Barnes to inform the YMCA that the CPC will not pay for staff time towards this (Gulf Hill Dairy) Project. The motion was seconded.

The motion was discussed. Ms. Latimer asked Mr. Barnes if he was uncomfortable with any other aspect of the Project. He said no. Mr. Markey stated that he did not participate in the approval of the YMCA's application due to his sister being an employee of the organization at the time. He is voting now to preserve the integrity of the CPC and for the purpose of what it is doing to enforce the contract.

Mr. Sousa's motion was put to a vote and was approved by a 6-0 vote.

Mr. Barnes said that future policies should state that staff time is not an allowable expense. Mr. Baker-Smith said future grant agreements will specify that.

Mr. MacGregor left the meeting at 8:07 p.m. due to a previous commitment.

Mr. Baker-Smith will be sending letters to various Town boards and commissions regarding the FY12 Needs Assessment. He will enclose a draft copy and invite them to the January meeting for a discussion. He will also invite some past grantees to attend and provide input. A notice will be posted on the Town's Web site as well as on DCTV.

The June, 2011 funding round was discussed. A definitive schedule will be set at the January meeting. A review of the application and any revisions will take place at that time.

Mr. Baker-Smith will invite representatives of Dartmouth Heritage Preservation Trust to the February, 2011 meeting to discuss the Akin House Project.

Motion:

Mr. Sousa made a motion to adjourn. The motion was seconded and approved by a 5-0 vote.

The meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Susan D. Dorschied
Administrative Clerk

Approved,

Howard Baker-Smith
Chairperson